

an audio component;

means for conducting power from said battery to said audio component;

a cowling behind said seat having an interior dimensioned for receiving said audio

A3 component, said audio component being in said interior;

means for mounting said cowling to said sportsbike; and

means for communicating signals from said audio component to at least one speaker.--

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A copy of claim 1 with changes shown explicitly, and labeled accordingly, is enclosed.

#### REMARKS

On May 9, 2002, the Attorney for Applicant interviewed the Examiner by telephone. The foregoing amendment to claim 1 was presented and the unobviousness of the placement of the audio component as recited in claims 9 and 16 was discussed. No agreement was reached. The Attorney for Applicant thanks the Examiner for the courtesy of the interview.

Claims 1, 4-8 stand rejected under 35 USC section 102(b) in view of Bruni. This rejection is respectfully traversed. Bruni, contrary to the statement in the office action does not have a capacitor that is connected electrically in parallel to the battery to supplement the battery during peak power demands, as stated in the amended claims. It is not clear that Bruni has a capacitor because the term does not appear in the Bruni specification. Furthermore, the circuit element that appears to be a capacitor, in addition to being unidentified and unexplained, is part of the amplifier 10d. It's function is unexplained and those of ordinary skill in the art would not assume its role was anything other than that of a capacitor performing a routine function (such as filtering) as part of the amplifier. Furthermore, the motorcycle shown in the Bruni reference is

not a sports bike but a cruising bike that has greater battery power and requires no augmentation of battery power for dynamic highs.

Claims 2, 3, 9-20 stand rejected under 35 USC 103(a) as unpatentable over Bruni in view of Orr. This rejection is also respectfully traversed. Claims 9 and 16 have been amended to underscore that the audio component is in the interior of the cowling and the cowling is behind the user's seat, as described and illustrated in the present specification.

The comments with respect to Bruni are repeated here. Furthermore, Orr teaches a place for storing a sound system in the forward section of a personal watercraft, rather than a cowling of a motorcycle. The personal watercraft illustrated does not have a cowling and does not appear to be designed to accept one. Furthermore, the fact that Orr places the sound system in a different location, toward the front of the watercraft, in fact teaches away from the location of the sound system in the cowling, as taught by Applicant's specification.

In the interview with the Examiner, a discussion as to whether there were other references that disclosed or taught placement of the audio component behind the rider of a motorcycle. The Attorney for Applicant provides herewith two references, the Nakashima et al reference, US 4,915,187, and the Yamada et al reference, US 6,298,943. The former teaches placement of speakers in the armrests for the rear rider, but still not behind the rider who listens to them, and speakers only, not audio components, as defined in the specification by example on page 7, which are still forward of the rider. The Yamada reference teaches in particular placement of speakers in a front cowling. Again, the audio component is not placed behind the rider.


Applicant has not found any other reference for a motorcycle sound system where the audio component is stored in a cowling behind the rider. Furthermore, a number of references

have been cited to and by the Examiner regarding motorcycle sound systems and none of them describes the sound system components located in the cowling behind the rider. Therefore, there is not only no motivation from the prior art to locate the sound system in a cowling, but the sum of the prior art teaches away from such a location by providing ample alternative locations that one of ordinary skill in the art would be quick to seize upon rather than to disregard. Motivation to stow sound system components somewhere on a motorcycle or watercraft does not extend to motivation to secure them in the particular location taught and claimed by Applicant, particularly one that separates physically the sound system speakers and controls from the amplifier and other components.

In view of the foregoing amendments and remarks, Applicant believes that the present application is in condition for allowance and reconsideration of it is requested. If the Examiner disagrees, he is requested to contact the Attorney for Applicant at the telephone number provided below.

Respectfully submitted,

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Copy of Claim 1 with Changes Shown Explicitly

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--1. (Amended) A motorcycle sound system for use with a sportsbike having a battery, said sound system comprising:

an audio component carried by a sportsbike;

means carried by said sportsbike for conducting power from a battery carried by said sportsbike to said audio component;

a capacitor carried by said sportsbike and [in electrical connection] connected electrically in parallel with said [electrical power source] battery so that said capacitor can supplement said battery during peak power demands of said audio component;

an amplifier carried by said sportsbike and in electrical connection with said [electrical power source] battery and said capacitor;

first means carried by said sportsbike for communicating signals from said audio component to said amplifier;

at least one signal-to-audio transducer carried by said sportsbike; and

second means carried by said sportsbike for communicating signals from said amplifier to said at least one signal-to-audio transducer.--

-- 9. (Amended) A motorcycle sound system for a motorcycle having a battery and a seat, said sound system comprising:

an audio component;

means for conducting power from said battery to said audio component;

a cowling having an interior dimensioned for receiving said audio component, said audio component being in said interior;

means for mounting said cowling to said motorcycle behind the seat of said motorcycle;

means for communicating signals from said audio component; and

a speaker.--

-- 16. (Amended) A machine, comprising:

sportsbike having a battery and a seat;

an audio component;

means for conducting power from said battery to said audio component;

a cowling behind said seat having an interior dimensioned for receiving said audio component, said audio component being in said interior;

means for mounting said cowling to said sportsbike; and

means for communicating signals from said audio component to at least one speaker.--